

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as required by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
Jamie Napoleon DavisDEFENDANTS  
Denihan Hospitality Group

JUDGE CAPRONI

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
The Harman Firm, PC  
1776 Broadway, Suite 2030  
New York, NY, 10019

ATTORNEYS (IF KNOWN)

14 CV 10097

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. § 1332, 28 U.S.C. § 1391, Diversity, for claims arising under New York City Human Rights Law

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

## TORTS

## ACTIONS UNDER STATUTES

## CONTRACT

- ☐ 110 INSURANCE  
☐ 120 MARINE  
☐ 130 MILLER ACT  
☐ 140 NEGOTIABLE INSTRUMENT  
☐ 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT  
☐ 151 MEDICARE ACT  
☐ 152 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS)  
☐ 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS  
☐ 160 STOCKHOLDERS SUITS  
☐ 190 OTHER CONTRACT  
☐ 195 CONTRACT PRODUCT LIABILITY  
☐ 196 FRANCHISE

## PERSONAL INJURY

- ☐ 310 AIRPLANE  
☐ 315 AIRPLANE PRODUCT LIABILITY  
☐ 320 ASSAULT, LIBEL & SLANDER  
☐ 330 FEDERAL EMPLOYERS' LIABILITY  
☐ 340 MARINE  
☐ 345 MARINE PRODUCT LIABILITY  
☐ 350 MOTOR VEHICLE  
☐ 355 MOTOR VEHICLE PRODUCT LIABILITY  
☐ 360 OTHER PERSONAL INJURY  
☐ 362 PERSONAL INJURY - MED MALPRACTICE

## ACTIONS UNDER STATUTES

## CIVIL RIGHTS

- ☐ 440 OTHER CIVIL RIGHTS (Non-Prisoner)  
☐ 441 VOTING  
☒ 442 EMPLOYMENT  
☐ 443 HOUSING/  
ACCOMMODATIONS  
☐ 445 AMERICANS WITH DISABILITIES - EMPLOYMENT  
☐ 446 AMERICANS WITH DISABILITIES - OTHER  
☐ 448 EDUCATION

## PERSONAL INJURY

- ☐ 367 HEALTHCARE/  
PHARMACEUTICAL PERSONAL  
INJURY/PRODUCT LIABILITY  
☐ 365 PERSONAL INJURY  
PRODUCT LIABILITY  
☐ 368 ASBESTOS PERSONAL  
INJURY PRODUCT  
LIABILITY

## PERSONAL PROPERTY

- ☐ 370 OTHER FRAUD  
☐ 371 TRUTH IN LENDING

- ☐ 380 OTHER PERSONAL  
PROPERTY DAMAGE  
☐ 385 PROPERTY DAMAGE  
PRODUCT LIABILITY

## PRISONER PETITIONS

- ☐ 463 ALIEN DETAINEE  
☐ 510 MOTIONS TO  
VACATE SENTENCE  
28 USC 2255  
☐ 530 HABEAS CORPUS  
☐ 535 DEATH PENALTY  
☐ 540 MANDAMUS & OTHER

## PRISONER CIVIL RIGHTS

- ☐ 550 CIVIL RIGHTS  
☐ 555 PRISON CONDITION  
☐ 560 CIVIL DETAINEE  
CONDITIONS OF CONFINEMENT

## FORFEITURE/PENALTY

- ☐ 625 DRUG RELATED  
SEIZURE OF PROPERTY  
21 USC 881  
☐ 690 OTHER

## LABOR

- ☐ 710 FAIR LABOR  
STANDARDS ACT  
☐ 720 LABOR/MGMT  
RELATIONS  
☐ 740 RAILWAY LABOR ACT  
☐ 751 FAMILY MEDICAL  
LEAVE ACT (FMLA)  
☐ 790 OTHER LABOR  
LITIGATION  
☐ 791 EMPL RET INC  
SECURITY ACT

## IMMIGRATION

- ☐ 462 NATURALIZATION  
APPLICATION  
☐ 465 OTHER IMMIGRATION  
ACTIONS

## BANKRUPTCY

- ☐ 422 APPEAL  
28 USC 158  
☐ 423 WITHDRAWAL  
28 USC 157

## PROPERTY RIGHTS

- ☐ 820 COPYRIGHTS  
☐ 830 PATENT  
☐ 840 TRADEMARK

## SOCIAL SECURITY

- ☐ 861 HIA (1395ff)  
☐ 862 BLACK LUNG (923)  
☐ 863 DIWC/DIWW (405(g))  
☐ 864 SSID TITLE XVI  
☐ 865 RSI (405(g))

## FEDERAL TAX SUITS

- ☐ 870 TAXES (U.S. Plaintiff or  
Defendant)  
☐ 871 IRS-THIRD PARTY  
26 USC 7609

## OTHER STATUTES

- ☐ 375 FALSE CLAIMS  
☐ 400 STATE  
REAPPORTIONMENT  
☐ 410 ANTITRUST  
☐ 430 BANKS & BANKING  
☐ 450 COMMERCE  
☐ 460 DEPORTATION  
☐ 470 RACKETEER INFLU-  
ENCED & CORRUPT  
ORGANIZATION ACT  
(RICO)  
☐ 480 CONSUMER CREDIT  
☐ 490 CABLE/SATELLITE TV  
☐ 850 SECURITIES/  
COMMODITIES/  
EXCHANGE  
☐ 890 OTHER STATUTORY  
ACTIONS  
☐ 891 AGRICULTURAL ACTS

- ☐ 893 ENVIRONMENTAL  
MATTERS  
☐ 895 FREEDOM OF  
INFORMATION ACT  
☐ 896 ARBITRATION  
☐ 899 ADMINISTRATIVE  
PROCEDURE ACT/REVIEW OF  
APPEAL OF AGENCY DECISIO  
☐ 950 CONSTITUTIONALITY O  
STATE STATUTES

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

DEMAND \$ 1,200,000.00 OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32)

(PLACE AN x IN ONE BOX ONLY)

- ORIGIN**
- ☒ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from (Specify District)    ☐ 6 Multidistrict Litigation    ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented    ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

- BASIS OF JURISDICTION**
- ☐ 1 U.S. PLAINTIFF    ☐ 2 U.S. DEFENDANT    ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY)    ☒ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [ ] 5 [ ] 5
CITIZEN OF ANOTHER STATE	[X] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [X] 4	FOREIGN NATION	[ ] 6 [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Jamie Napoleon Davis  
A38 Claremont Avenue  
Bloomfield, NJ, 07003

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Denihan Hospitality Group  
551 Fifth Avenue  
New York, New York County NY 10176

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS    ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 12/23/2014 SIGNATURE OF ATTORNEY OF RECORD

Walker G. Herman, Jr.

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
[X] YES (DATE ADMITTED Mo. 12 Yr. 2000 )  
Attorney Bar Code # 3027034

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)